VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

[0040] Figure 4 illustrates the call discrimination algorithm performed by the call-answering gateway 3 of Figure 1, which is connected to the modem 4 answering the telephony call. After a call connection is established, the answering gateway 3 is initialized to a voice mode of operation 17. While in this state, the answering gateway 3 enables its modem signal detectors that monitor the telephony link with the modem answering the telephony call. If a V.8bis CRe/MRe tone is detected 20, the answering gateway 3 suppresses the voice path to the packet network 5. When the [CRe/MRE] CRe/MRe tone terminates, the answering gateway returns to the voice mode 17 and again monitors the telephony link with the answering modem 4 for a modem signal. If either an ANS tone or ANSam tone is received from the answering modem 4, then the answering gateway 3: (1) suppresses the voice path to the packet network 5; (2) transitions to a G.711 pass-through mode of operation; and (3) conveys the presence of the ANS/ANSam tone over the packet network 5 to the originating gateway 18 using a signaling event in accordance with RFC 2833.

[0041] While in the G.711 pass-through mode, the answering gateway 3 monitors both the telephony link with the answering modem 4 and the packet network 5 link with the originating gateway 2. If the answering gateway 3 detects an LLMR indication from the originating gateway 2, then the originating modem 1 is ready to support a V.34+ data modulation protocols and the

answering gateway 3 transitions to an LLMR processing state 23. On the other hand, if the [originating] answering gateway [2] 3 detects a V.34 facsimile relay [signal] indication from the originating gateway 2, the originating modem 1 is prepared to support a V.34 facsimile protocol and the answering gateway 3 transitions to a V.34 facsimile relay processing state 22. Lastly, if the ANS/ANSam tone terminates before the originating modem sends a CM signal, the originating modem 1 is only prepared to support non-V.34+ modulation protocols 21. In this event, the answering gateway 3 enables the voice path to the packet network 5 and enables its V.21 flag detector. Thereafter, if V.21 flags generated by the answering modem 4 are detected, the answering gateway 3 transitions to a facsimile relay processing state 24.

[0049] In a fourth scenario, assume the originating and answering modem 4s support K56Flex protocols. After establishing a call connection, the answering modem 4 will generate a [CRe/MRE] CRe/MRe tone to initiate a V.8bis transaction in an attempt to negotiate the K56Flex capability. If the answering data modem does not receive a response from the originating gateway 2, it simply falls back to V.8 and begins generation of the ANSam. The suppression of [CRe/MRE] CRe/MRe signal into the packet network is used to prevent the V.8bis transactions and hence the use of K56Flex.

[0054] The TDU provides the ability to detect and suppress the V.8bis [CRe/MRE] CRe/MRe tone. Upon detection of a [CRe/MRE] CRe/MRe tone, the voice path toward the path network is disabled. The voice path is re-enabled once the [CRe/MRE] CRe/MRe tone has passed.

IN THE CLAIMS:

6 (amended). A method of discriminating voice, data, and facsimile calls communicated through a voice-over-packet network, comprising the steps of:

identifying any one of an answer signal (ANS), a modified answer signal (ANSam), a V.8bis [CRe] CRe/MRe tone, or V.21 flags communicated between an answering modem and an originating modem, using an answering-side gateway that is capable of identifying each of said ANS signal, said ANSam signal, said V.8bis [CRe] CRe/MRe tone, and said V.21 flags; and

with said answering-side gateway, converting said identified ANS signal, ANSam signal, V.8bis [CRe] CRe/MRe tone, or V.21 flags to a format that may be conveyed over said packet network to said originating modem via an originating-side gateway.

7 (amended). The method of claim 6, further comprising the steps of:

suppressing a voice path to said packet network, using said answering gateway, when said V.8bis [CRe] CRe/MRe tone is identified;

determining when said V.8bis [CRe] CRe/MRe tone communication between said answering modem and said originating modem terminates.

8 (amended). The method of claim 7, further comprising the step of:

re-establishing said voice path when said V.8bis [CRe] CRe/MRe tone terminates.

REMARKS

The amendments made to certain paragraphs of the specification and claims 6, 7 and 8 are to correct minor typographical errors.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, U.S. Patent and Trademark Office, PO Box 2327, Arlington, VA 22202 on 2/22/02, 2002.

Joseph J. Zito 2/21/02
Date